



601 Pennsylvania Ave., NW
Suite 800
Washington, DC 20004
202-654-5900

November 15, 2019

Via ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington DC, 20554

Re: Notice of Oral Ex Parte Communication

GN Docket No. 18-122, *Expanding Flexible Use of the 3.7 GHz to 4.2 GHz Band*

ET Docket No. 18-295, *Unlicensed Use of the 6 GHz Band*

GN Docket No. 17-183, *Expanding Flexible Use in Mid-Band Spectrum Between 3.7 and 24 GHz*

Dear Ms. Dortch:

On November 13, Mike Sievert, President and Chief Operating Officer, David Miller, Executive Vice President, General Counsel and Secretary, Neville Ray, Executive Vice President and Chief Technology Officer, Kathleen Ham, Senior Vice President, Government Affairs, all of T-Mobile USA, Inc.,^{1/} and I met with Chairman Ajit Pai and his legal advisor Aaron Goldberger.

We expressed T-Mobile's continued interest in making the 3.7-4.2 GHz band ("C-band") available for Fifth Generation ("5G") mobile services and stated that we are encouraged by recent commitments by the C-Band Alliance to clear 300 megahertz of spectrum. We also stated that, regardless of whether the Commission proceeds with an FCC-run public auction or a private auction, the process for licensing must be fair and transparent, with licensing rules developed through a public process. A publicly-developed licensing process based on Commission-approved procedures that, among other things, specifies the timing and plan for clearing incumbent users, as well as the auction and licensing protocols, will provide bidders the certainty necessary to raise capital and prepare to compete in an auction that can be conducted in a timely manner.

We also discussed the need for a spectrum aggregation limit to ensure that the spectrum is put to use as quickly as possible for competitive 5G deployments. Allowing a single provider to obtain

^{1/} T-Mobile USA, Inc. is a wholly-owned subsidiary of T-Mobile US, Inc., a publicly traded company.

all or most of this spectrum, especially when the initial amount to be made available will be limited,^{2/} will significantly harm, or even eliminate, the ability of other providers to offer competitive services, to the detriment of consumers. An auction-specific spectrum aggregation limit of approximately one-third would help ensure that the initial distribution of spectrum can be broadly available to multiple competitors.

Finally, we observed that the Commission has proposed to make 1200 megahertz of spectrum available for unlicensed devices in the 5925-7125 GHz (“6 GHz”) band.^{3/} In contrast, it is possible that the Commission will make as little as 280 megahertz of C-band spectrum available for licensed operations. We therefore urged the Commission to make a portion of the 6 GHz band available for licensed, flexible-use services.^{4/} Access to licensed mid-band spectrum for 5G remains extremely limited and making a portion of the 6 GHz band available will provide a balance between licensed and unlicensed spectrum.

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Pursuant to Section 1.106 of the Commission’s rules, a copy of this letter has been submitted in the record of the above-referenced proceedings and copies have been sent to the members of the Commission’s staff with whom we met. If there are any questions regarding the foregoing, please contact the undersigned.

Respectfully submitted,

/s/ Steve B. Sharkey

Steve B. Sharkey
Vice President, Government Affairs
Technology and Engineering Policy

cc: Hon. Ajit Pai
Aaron Goldberger

^{2/} See Letter from Bill Tolpegin, Chief Executive Officer, C-Band Alliance, to Ms. Marlene H. Dortch, Secretary, FCC, GN Docket No. 18-122 (filed Oct. 28, 2019).

^{3/} See *Unlicensed Use of the 6 GHz Band; Expanding Flexible Use in Mid-Band Spectrum Between 3.7 and 24 GHz*, Notice of Proposed Rulemaking, 33 FCC Rcd 10496 (2018).

^{4/} See, e.g., Letter from Kara Graves, Director, Regulatory Affairs, CTIA, to Ms. Marlene H. Dortch, Secretary, FCC, ET Docket No. 18-295 and GN Docket No. 17-183 (filed Nov. 8, 2019); Letter from Jennifer L. Oberhausen, Director, Regulatory Affairs, CTIA, to Ms. Marlene H. Dortch, Secretary, FCC, ET Docket No. 18-295 and GN Docket No. 17-183 (filed Oct. 22, 2019).